IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

Bail Appl..No. 7441 of 2006()

CMP.9178/2006 of J.M.F.C.,MAVELIKKARA
C.R.No.247/06 of Mavelikara Excise Range

.....

: PETITIONER/ACCUSED:

SHIJU, S/O.VASUDEVAN,
AGED 25 YEARS, LEKSHAMVEEDU COLONY,
CHERUKUNNAM MURI, THEKKEKARA VILLAGE,
MAVELIKARA TALUK.

BY ADV. SRI.R.REJI

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTED BY THE EXCISE INSEPCTOR,
MAVELIKARA RANGE.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

Bail Application NO.7441 of 2006

- - - - - - - - - - - - - - - - -

Dated this the 15th day of December,2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in C.R. No.247 of 2006 of Mavelikara Excise Range for an offence punishable under Sec. 55(a) of the Abkari Act for having been found in possession of 3.5 liters of illicit arrack on 24.11.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 22.12.2006 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mavelikara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 15/12